

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

DOUGLAS M. FARRAGO,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. 4:06-CV-958 (CEJ)
	)	
RAWLINGS SPORTING GOODS	)	
COMPANY, INC.,	)	
	)	
Defendant.	)	

**ORDER**

The parties have submitted to the Court a series of documents in preparation for a hearing pursuant to Markman v. Westview Instruments, Inc., 517 U.S. 370 (1996).


Attached to plaintiff's opening claim construction brief is Exhibit E [Doc. 33-6]. Pages 8-19 of this document appear to be a pleading related to another case not pending before this Court and not related to the subject of this action. The plaintiff is instructed to re-file Exhibit E with these pages removed.

In its memorandum in support of its proposed claim construction, defendant states its intention to submit the entire prosecution history of the patent at issue at the time of the scheduled hearing. The Court would like to receive this document in advance of the hearing.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff shall re-file a corrected version of Exhibit E not later than **March 16, 2007**. It is not necessary to re-file the claim construction brief and all exhibits in their entirety.

**IT IS FURTHER ORDERED** that defendant shall submit the entire prosecution history of the patent at issue not later than **March 9, 2007.**

  
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CAROL E. JACKSON  
UNITED STATES DISTRICT JUDGE

Dated this 28th day of February, 2007.